

RESPONSE TO OFFICE ACTION
Old Atty. Docket No.: IOME-0751
New Atty. Docket No. P0763

Serial No.:09/943,102
Filed: August 30, 2001

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Remarks

Reconsideration and allowance of the above-referenced application are respectfully requested. The foregoing amendments are responsive to the September 9, 2004 Office Action. Applicants respectfully request reconsideration of the application in view of the following comments.

Address Change

Please direct all future communications with regard to this application to the following address:

James T. Hagler
Patent Department
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10955 Vista Sorrento Parkway
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(858) 314-7152 Tel. / (858) 314-7005

Response to the Claim Objections

Claims 3, 4 and 20-26 are objected under 35 C.F.R. § 1.75(a) for failing to particularly point out and distinctly claim the subject matter of the invention. Claims 3-4 are canceled herein, and Claim 20 is amended as suggested to overcome the objections.

Response to the Claim Rejections Under 35 U.S.C §§ 102 and 103

Claims 1 is rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,775,081 issued to Ottesen, et al. The rejection asserts that Ottesen allegedly teaches each element of the claims. Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Ottesen in view of U.S. Patent No. 5,210,660 issued to Hetzler. The rejection asserts that Ottesen allegedly teach each element of the claims except for an index mark on the servo track, which is allegedly taught by Hetzler. Claims 1-5 are canceled herein.

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Allowable Subject Matter

Claims 6-19 are allowed. Claims 20-26 are indicated to contain allowable subject matter if rewritten to overcome the objection. In view of the foregoing remarks regarding Claim 20, Applicants respectfully submit that Claims 20-26 are now in condition for allowance.

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Summary

In view of the above amendments and remarks, all of the claims should be in condition for allowance. A formal notice to that effect is respectfully solicited.

No fees are believed due with the filing of this response. However, if Applicants are in error, the Commissioner is hereby authorized to debit Applicant's Deposit Account (No. 60-2733) any fees that are currently due, as well as any fees due during the pendency of this application.

Please direct all future communications with regard to this application to the following address:

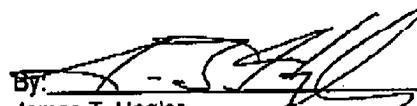
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Certificate of Facsimile

I hereby certify that this correspondence (and any referred to as attached) is being sent via facsimile to 703-872-9306 to the Commissioner for Patents on the date indicated below.

Respectfully submitted,

Date: November 10, 2004

By: 
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